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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/628,702
Filing Date: July 28, 2003
Appellant(s): SAHOTA ET AL.

Marc D. McSwain (Reg. # 44,929)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed June 24, 2008 appealing from the Office action mailed December 26, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2002/0152178	Lee	5-2001
6,978,019	Lapstun et al.	6-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 4-6, 10, 14-15, 18-19, 24, 27-29, &33 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US Pub. No. 2002/0152178 A1).

Referring to claim 1, Lee discloses a method of performing a transaction comprising: placing a first device in wireless communication with a second device (page 1, col. 1, ¶ 0005);

- Selecting an application deployed on the first device which will be utilized to conduct the transaction, wherein the application selected is supported by the second device (page 1, col. 1, 2, ¶ 0007-0011);

- Determining transaction processing capabilities supported by the second device (page 1, col. 1, 2, ¶ 0007-0011);

- Communicating application data from the first device to the second device, wherein the application data is selected in response to the transaction processing capabilities (page 1, col. 1, 2, ¶ 0007-0011);

Art Unit: 3621

- And processing the application data as required by the application to approve or disapprove the transaction (page 1, col. 1, 2, ¶ 0007-0011).

Lee does not disclose selecting an application deployed on the first device which will be utilized to conduct the transaction, wherein the application selected is supported by the second device. It is noted, however, that Lee teaches that the information processed in his method in order to convey such information to a human operator in a manner, which facilitates the analysis of such data (page 1, col. 1, 2, ¶ 0007-0011). Because “selecting an application” would have been obvious to a person having an ordinary skill in the art at the time the invention was made.

Referring to claim 4, Lee ‘178 discloses the first device is a cellular telephone (page 1, col. 1, ¶ 0001).

Referring to claim 5, Lee ‘178 discloses the first device is a personal digital assistant (page 3, col. 2, ¶ 0037).

Referring to claim 6, Lee discloses the first device comprises: means for storing application data (page 8, col. 2, claim 6);

- And means for communicating with the second device over a wireless interface (page 8, col. 2, claim 6).

Referring to claim 10, Lee ‘178 discloses the first device communicates with the second device by radio frequency (page 9, col. 2, claim 11).

Referring to claim 14, Lee ‘178 discloses the application data comprises security data (page 5, col. 1, ¶ 0061).

Referring to claim 15, Lee ‘178 discloses the security data comprises data for static data authentication (page 5, col. 1, ¶ 0064).

Art Unit: 3621

Referring to claim 18, Lee '178 discloses the step of selecting the application comprises: transmitting from the first device to the second device a list comprising: applications supported by the first device (page 1, col. 1, 2, ¶ 0007-0011);

- And a priority indicator for each application, wherein the priority indicator indicates the preference that the associated application will be selected for use in performing the transaction (page 1, col. 1, 2, ¶ 0007-0011);

- Comparing the applications supported by the first device with the applications supported by the second device (page 1, col. 1, 2, ¶ 0007-0011);

- Selecting the application mutually supported by the first device and the second device with the highest priority indicator as the application for use in approving or disapproving the transaction (page 1, col. 1, 2, ¶ 0007-0011).

Referring to claim 19, Lee '178 discloses the step of selecting the application comprises: transmitting from the first device to the second device data identifying the applications supported by the first device (page 1, col. 1, 2, ¶ 0007-0011);

- Comparing the applications supported by the first device with the applications supported by the second device (page 1, col. 1, 2, ¶ 0007-0011);

- Displaying applications mutually supported by the first device and the second device to a user of the first device (page 1, col. 1, 2, ¶ 0007-0011);

- Selecting the application to be used to approve or disapprove the transaction, wherein such selection is performed by the user of the first device (page 1, col. 1, 2, ¶ 0007-0011).

Referring to claim 24, Lee '178 discloses A method for selecting an application for use in approving or disapproving a transaction over a wireless interface comprising: transmitting the

Art Unit: 3621

applications supported by a first device to a second device in wireless communication with the first device (page 1, col. 1, 2, ¶ 0007-0011);

- Comparing the applications supported by the first device to applications supported by the second device (page 1, col. 1, 2, ¶ 0007-0011);

- Displaying on the second device the mutually supported applications to a user of the first device (page 1, col. 1, 2, ¶ 0007-0011);

- Selecting a desired application from the mutually supported applications displayed on the second device, wherein such selection is performed by the user of the first device (page 1, col. 1, 2, ¶ 0007-0011);

- Communicating the desired application from the second device to the first device (page 1, col. 1, 2, ¶ 0007-0011);

- And communicating from the first device to the second device data necessary for the desired applications to approve or disapprove the transaction (page 1, col. 1, 2, ¶ 0007-0011).

Referring to claim 27, Lee '178 discloses the first device is a cellular telephone (page 1, col. 1, ¶ 0001).

Referring to claim 28, Lee '178 discloses the first device is a personal digital assistant (page 3, col. 2, ¶ 0037).

Referring to claim 29, Lee discloses the first device comprises: means for storing application data (page 8, col. 2, claim 6);

- And means for communicating with the second device over a wireless interface (page 8, col. 2, claim 6).

Art Unit: 3621

Referring to claim 33, Lee '178 discloses the first device communicates with the second device by radio frequency (page 9, col. 2, claim 11).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-3, 7-9, 13, 16, 20-23, 25-26, & 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Pub. No. 2002/0152178 A1) in view of Weller et al. (US Pub. No. 2002/0111919 A1).

Referring to claim 2, Lee '178 discloses all the elements of claim 1, as indicated above.

However, it does not expressly disclose the first device is an integrated circuit card.

Weller '919 discloses a well-known integrated circuit card for providing monetary/business transactions (page 1, col. 2, ¶ 0009).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the integrated circuit card taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 3, Lee '178 discloses all the elements of claim 2, as indicated above.

However, it does not expressly disclose said integrated circuit card comprises antenna for communicating with the second device over a wireless interface.

Weller '919 discloses said integrated circuit card comprises antenna for communicating with the second device over a wireless interface (page 1, col. 2, ¶ 0009).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include said integrated circuit card comprises an antenna for communicating with the second device over a wireless interface taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 7, Lee '178 discloses all the elements of claim 1, as indicated above.

However, it does not expressly disclose the second device comprises: a reader for receiving data from the first device over a wireless interface.

Weller '919 discloses the second device comprises: a reader for receiving data from the first device over a wireless interface (page 11, col. 1, ¶ 0113-0117).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the second device comprises: a reader for receiving data from the first device over a wireless interface taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 8, Lee '178 discloses all the elements of claim 1, as indicated above.

Art Unit: 3621

However, it does not expressly disclose the second device comprises: a point of sale terminal.

Weller '919 discloses the second device comprises: a point of sale terminal (page 18, col. 1, 2, ¶ 0231-0234).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the second device comprises: a point of sale terminal taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 9, Lee '178 discloses all the elements of claim 1, as indicated above.

However, it does not expressly disclose the second device comprises a hardware security key.

Weller '919 discloses the second device comprises a hardware security key (page 19, col. 2, ¶ 0244).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the second device comprises a hardware security key taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 13, Lee '178 discloses all the elements of claim 1, as indicated above.

However, it does not expressly disclose the step of determining transaction processing capabilities comprises: informing the first device of the application selected for use in

Art Unit: 3621

performing the transaction; communicating a request from the first device to the second device wherein said request seeks data on the capability of the second device to perform particular transaction types; and communicating the transaction processing capabilities from the second device to the first device.

Weller '919 discloses the step of determining transaction processing capabilities comprises: informing the first device of the application selected for use in performing the transaction (page 1, col. 2, ¶ 0007-0009);

- Communicating a request from the first device to the second device wherein said request seeks data on the capability of the second device to perform particular transaction types (page 1, col. 2, ¶ 0007-0009);

- Communicating the transaction processing capabilities from the second device to the first device (page 1, col. 2, ¶ 0007-0009).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified Lee '178 to include the step of determining transaction processing capabilities comprises: informing the first device of the application selected for use in performing the transaction; communicating a request from the first device to the second device wherein said request seeks data on the capability of the second device to perform particular transaction types; and communicating the transaction processing capabilities from the second device to the first device taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Art Unit: 3621

Referring to claim 16, Lee '178 discloses all the elements of claim 14, as indicated above.

However, it does not expressly disclose the security data comprises data for dynamic data authentication.

Weller '919 discloses the security data comprises data for dynamic data authentication (page 4, col. 1, ¶ 0043).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the security data comprises data for dynamic data authentication taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 20, Lee '178 discloses all the elements of claim 1, as indicated above.

However, it does not expressly disclose the second device is informed of the application data format prior to receiving the application data.

Weller '919 discloses the second device is informed of the application data format prior to receiving the application data (page 1, col. 2, ¶ 0007-0010).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the second device is informed of the application data format prior to receiving the application data taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Art Unit: 3621

Referring to claim 21, Lee '178 discloses all the elements of claim 1, as indicated above.

However, it does not expressly disclose the second device determines the application data format by parsing the application data for an indicator.

Weller '919 discloses the second device determines the application data format by parsing the application data for an indicator (page 1, col. 2, ¶ 0007-0010).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the second device determines the application data format by parsing the application data for an indicator taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 22, Lee '178 discloses all the elements of claim 21, as indicated above.

However, it does not expressly disclose the presence of the indicator informs the second device the application data is formatted for magnetic stripe transactions.

Weller '919 discloses the presence of the indicator informs the second device the application data is formatted for magnetic stripe transactions (page 17, col. 2, ¶ 0224).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the presence of the indicator informs the second device the application data is formatted for magnetic stripe transactions taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Art Unit: 3621

Referring to claim 23, Lee '178 discloses all the elements of claim 21, as indicated above.

However, it does not expressly disclose the absence of the indicator informs the second device the application data is formatted for magnetic stripe transactions.

Weller '919 discloses the absence of the indicator informs the second device the application data is formatted for magnetic stripe transactions (page 17, col. 2, ¶ 0224).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the absence of the indicator informs the second device the application data is formatted for magnetic stripe transaction taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 25, Lee '178 discloses all the elements of claim 24, as indicated above.

However, it does not expressly disclose the first device is an integrated circuit card.

Weller '919 discloses a well-known integrated circuit card for providing monetary/business transactions (page 1, col. 2, ¶ 0009).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the integrated circuit card taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 26, Lee '178 discloses all the elements of claim 25, as indicated above.

Art Unit: 3621

However, it does not expressly disclose said integrated circuit card comprises antenna for communicating with the second device over a wireless interface.

Weller '919 discloses said integrated circuit card comprises antenna for communicating with the second device over a wireless interface (page 1, col. 2, ¶ 0009).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include said integrated circuit card comprises an antennae for communicating with the second device over a wireless interface taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 30, Lee '178 discloses all the elements of claim 24, as indicated above.

However, it does not expressly disclose the second device comprises: a reader for receiving data from the first device over a wireless interface.

Weller '919 discloses the second device comprises: a reader for receiving data from the first device over a wireless interface (page 11, col. 1, ¶ 0113-0117).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the second device comprises: a reader for receiving data from the first device over a wireless interface taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Art Unit: 3621

Referring to claim 31, Lee '178 discloses all the elements of claim 24, as indicated above.

However, it does not expressly disclose the second device comprises: a point of sale terminal.

Weller '919 discloses the second device comprises: a point of sale terminal (page 18, col. 1, 2, ¶ 0231-0234).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the second device comprises: a point of sale terminal taught by Weller '919, as discussed above, in order to provide a well known means for providing cashless/business transactions.

Referring to claim 32, Lee '178 discloses all the elements of claim 24, as indicated above.

However, it does not expressly disclose the second device comprises a hardware security key.

Weller '919 discloses the second device comprises a hardware security key (page 19, col. 2, ¶ 0244).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the second device comprises a hardware security key taught by Weller '919, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

7. Claims 11, 12, 17, 34, & 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Pub. No. 2002/0152178 A1) in view of Lapstun et al. (US Patent No. 6,978,019 B1).

Referring to claim 11, Lee '178 discloses all the elements of claim 1, as indicated above.

Art Unit: 3621

However, it does not expressly disclose the first device communicates with the second device by infrared communication.

Weller '919 discloses the first device communicates with the second device by infrared communication (col. 44, lines 4-15).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the first device communicates with the second device by infrared communication taught by Lapstun '019, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 12, Lee '178 discloses all the elements of claim 1, as indicated above.

However, it does not expressly disclose the first device communicates with the second device by laser communication.

Weller '919 discloses the first device communicates with the second device by laser communication (col. 44, lines 4-15).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the first device communicates with the second device by laser communication taught by Lapstun '019, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 17, Lee '178 discloses all the elements of claim 1, as indicated above.

Art Unit: 3621

However, it does not expressly disclose the step of processing the application data occurs offline.

Weller '919 discloses the step of processing the application data occurs offline (col. 21, lines 50-65).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the step of processing the application data occurs offline taught by Lapstun '019, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 34, Lee '178 discloses all the elements of claim 24, as indicated above.

However, it does not expressly disclose the first device communicates with the second device by infrared communication.

Weller '919 discloses the first device communicates with the second device by infrared communication (col. 44, lines 4-15).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the first device communicates with the second device by infrared communication taught by Lapstun '019, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

Referring to claim 35, Lee '178 discloses all the elements of claim 24, as indicated above.

However, it does not expressly disclose the first device communicates with the second device by laser communication.

Weller '919 discloses the first device communicates with the second device by laser communication (col. 44, lines 4-15).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Lee '178 to include the first device communicates with the second device by laser communication taught by Lapstun '019, as discussed above, in order to provide a credit card transaction authentication system and method using a mobile terminal, wherein a credit card settlement by means of contactless radio-frequency identification of a cellular phone (page 1, col. 1, ¶ 0001).

(10) Response to Argument

Applicants argue:

“Lee does not include all of the elements of claim 1” (pages 5, claim 1). Specially, “selecting applications, either to determine if a contact-based or contactless transaction is occurring or for any other purpose, such as ensuring that applications for each transaction type are compatible on both devices and thus that subsequent application data will be successfully processed”(page 5, paragraph 4).

Examiner's response:

Lee teaches “selecting applications, either to determine if a contact-based or contactless transaction is occurring or for any other purpose, such as ensuring that applications for each transaction type are compatible on both devices and thus that

Art Unit: 3621

subsequent application data will be successfully processed”(page 5, paragraph 4) (see Lee: selecting an credit card communication software deployed on the “mobile terminal 60” which will utilize to conduct the transaction wherein the credit card communication software selected is supported by the “terminal 70”, processing the “personal data, credit card number ST301” as required by credit card communication software to approve or disapprove the transaction).

As to the claimed features of the independent claims, the elements can be found as outlined in the table at the end of this document.

Applicants argue:

“Lee does not include all of the elements of claim 24” (page 6, claims 24).

Specially, “selecting applications, either to determine if a contact-based or contactless transaction is occurring or for any other purpose, such as ensuring that applications for each transaction type are compatible on both devices and thus that subsequent application data will be successfully processed”(page 6, claim 24).

Examiner’s response:

Lee teaches “selecting applications, either to determine if a contact-based or contactless transaction is occurring or for any other purpose, such as ensuring that applications for each transaction type are compatible on both devices and thus that subsequent application data will be successfully processed”(page 6, claim 24) (see Lee: selecting an credit card communication software deployed on the “mobile terminal 60”

Art Unit: 3621

which will utilize to conduct the transaction wherein the credit card communication software selected is supported by the "terminal 70", processing the "personal data, credit card number ST301" as required by credit card communication software to approve or disapprove the transaction). Even if Lee did not teach these limitations, it is the Examiner's position these are functional limitations and as per MPEP 2114, "[A]pparatus claims cover what a device is, not what a device does." Therefore, these limitations should be given less patentable weight.

As to the claimed features of the independent claims, the elements can be found as outlined in the table at the end of this document.

Art Unit: 3621

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Shahid Kamal/
Examiner, Art Unit 3621

/ANDREW J. FISCHER/
Supervisory Patent Examiner, Art Unit 3621

/Calvin L Hewitt II/
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/C.L.H/
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Supervisory Patent Examiner, Art Unit 3685

Claim Limitations	Prior Art Reference
Claim 1	Lee (US Pub. No. 2002/0152178 A1)
placing a first device in wireless communication with a second device	placing a “mobile terminal 60” in wireless communication (via “contactless radio frequency” [0017] with “terminal 70”
selecting an application deployed on the first device which will be utilized to conduct the transaction, wherein the application selected is supported by the second device	selecting credit card communication software deployed on the “mobile terminal 60” which will utilize to conduct the transaction wherein the credit card communication software selected is supported by the “terminal 70”
determining transaction processing capabilities supported by the second device	determining credit card communication software supported by “terminal 70”
communicating application data from the first device to the second device, wherein the application data is selected in response to the transaction processing capabilities, and	communicating “personal data, credit card number ST301” from “mobile terminal 60” to “terminal 70” wherein “personal data, credit card number ST301” is selected in response to card communication software
processing the application data as required by the application to approve or disapprove the transaction.	processing the “personal data, credit card number ST301” as required by credit card communication software to approve or disapprove the transaction.
Claim 24	
transmitting the applications supported by a first device to a second device in wireless communication with the first device	transmitting the credit card communication software supported by a “mobile terminal 60” in a “terminal 70” in wireless communication (via “contactless radio frequency [0017]” with the “mobile terminal 60”
comparing the applications supported by the first device to applications supported by the second device	comparing the card communication software supported by a “mobile terminal 60” to credit card communication software supported by the “terminal 70”

Art Unit: 3621

displaying on the second device the mutually supported applications to a user of the first device	displaying on the “terminal 70” the mutually supported the credit card communication software to a “user 11” of the “mobile terminal 60”
selecting a desired application from the mutually supported applications displayed on the second device, wherein such selection is performed by the user of the first device	selecting a desired credit card communication software from the mutually supported credit card communication software displayed on the “terminal 70”, wherein such selection is performed by the “user 11” of the “mobile terminal 60”
communicating the desired application from the second device to the first device, and	communicating the desired credit card communication software from the “terminal 70” to the “mobile terminal 60”,
communicating from the first device to the second device data necessary for the desired applications to approve or disapprove the transaction.	communicating the “mobile terminal 60” to the “terminal 70” data necessary for the desired credit card communication software to approve or disapprove the transaction.